

REMARKS

This Preliminary Amendment is being filed concurrently with a Request for Continued Examination (RCE) in response to the Office Action dated July 15, 2003 (Paper No. 10). The Amendment is being filed with the RCE in order to ensure entry and consideration of the claim changes set forth above. Claims 2, 3, 5 to 7, 11 to 15 and 19 to 29 are currently in the application, of which Claims 2, 3, 5 to 7, 15, 23 to 25 and 29 are the independent claims. Reconsideration and further examination are respectfully requested.

A Letter Transmitting Formal Drawings, with which replacement drawings for Figures 1 and 4 containing the approved changes set forth in the Request For Approval Of Drawing Changes dated February 6, 2003, are being submitted, also accompanies this Amendment.

Turning to the Office Action, the drawings were objected to under 37 C.F.R. § 1.83(a) for allegedly not showing every feature of the claimed invention. In particular, the Office Action contended that the “detecting means” of Claims 7, 11, 15, 19 and 20, the “pulse-width control means” of Claims 7, 11, 15 and 19, and the “control means” of Claims 25 and 26 are not shown in the drawings.

Without conceding the correctness of the foregoing objection, Applicants have amended the claims to remove the “detecting means” from the current claim language. With respect to the other claimed elements of the invention, Applicants submit that the “modulating means” is identified with reference numerals 34 and 35 in Figure 3 and reference numerals 38 and 39 in Figure 11; the “pulse-width control means” is identified with reference numerals 30 to 33 in Figure 3 and reference numerals 36 and 37 in Figure 11; and the “control means” is identified with reference numerals 30 to 33 in Figure 3 and

reference numerals 36 and 37 in Figure 11. In view of the foregoing, Applicants respectfully submit that all of the claimed features of the invention are depicted in the drawings and respectfully request withdrawal of the objection to the drawings.

Turning to the claims, Applicants thank the Examiner for the indication that Claims 2, 3, 5, 6, 23 and 24 have been allowed.

Claims 7, 11 to 15 and 19 to 22 were rejected under 35 U.S.C. § 112, first paragraph, for allegedly containing subject matter which was not described in the specification in such a way so as to enable one skilled in the art to make and/or use the invention. In particular, the Office Action contended that the claimed “detecting means” was not described in the specification. Without conceding the correctness of this rejection, Applicants have amended the claims to remove the detecting means. Applicants note, however, that the function of the detecting means is performed by the image sorting circuit 30 and memory 31 shown in Figure 3 by comparing input image data to image data previously obtained and stored, as described for one embodiment beginning at page 21, line 11.

Claims 25 to 29 were also rejected under 35 U.S.C. § 112, first paragraph, for allegedly failing to comply with the written description requirement. In particular, the Office Action contended that claimed operation of the “control means” in Claims 25 and 29 was not described in the specification and raised the issue of new matter. Applicants have amended Claims 25 and 29 to more clearly describe the claimed features of the present invention. In particular, Applicants have amended Claims 25 and 29 to describe a case that image pixels, which are adjacent to another image pixel in a sub-scanning direction, are exposed in different scanings such that an exposure amount to expose at least one of the image pixels relatively decreases compared to a case that the image pixels are exposed in a common scanning.

The foregoing features claimed in Claims 25 and 29 are believed to be adequately described in the specification. Specifically, the exposure amount for exposing image pixels is decreased through pulse-width modulation, as performed by PWM Circuit 33 shown in Figure 3, for example. As described for one embodiment beginning at page 21, line 25, the PWM circuit 33 generates a triangular wave to shorten the exposing time of a light beam for a particular image pixel and thereby reduce the exposure amount. Accordingly, the specification is believed to adequately describe the claimed feature of reducing an exposure amount to expose certain image pixels.

In view of the foregoing, reconsideration and withdrawal of the § 112, first paragraph, rejections of Claims 7, 11 to 15, 19 to 22 and 25 to 29 are respectfully requested.

No other matters having been raised in the Office Action, the entire application is now believed to be in condition for allowance and such action is respectfully requested at the Examiner's earliest convenience.

Applicants' undersigned attorney may be reached in our Costa Mesa, California, office by telephone at (714) 540-8700. All correspondence should be directed to our address given below.

Respectfully submitted,



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